REMARKS

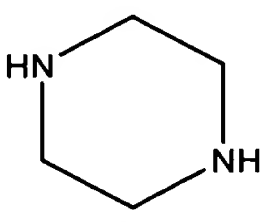
Claims 8, 13, 14, 31, 32, 34, 36, 38, and 56 are active in the present application.

The rejection of Claims 4-8, 13, 14, 22, 27, 28, 31-34, and 36-54 under 35 U.S.C. §103(a) over Oku et al is obviated by amendment.

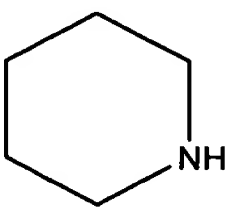
Oku et al discloses aminopiperazine derivatives having the potentiation of cholinergic activity, which may be used for the treatment of amnesia, dementia, and senile dementia (see column 1, lines 25-33). However, the application of this reference appears to be in error as Oku et al do not disclose or suggest any compounds within the scope of the claims as previously pending or as presently amended. The Examiner asserts that Oku et al disclose "piperazine[1] derivatives of the type recited in the claims." However, the presently pending claims relate to piperidine[2] compounds, not piperazine compounds.

Citing In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974), MPEP §2143.03 states: "To establish a prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." Applicants submit that the Oku et al fail to meet this requirement, and as such the artisan would have no direction to practice the claimed method, much less the advantageous properties flowing therefrom.

Accordingly, Applicants request withdrawal of this ground of rejection.



1) piperazine



2) piperidine

The rejection of Claims 4-8, 13, 14, 22, 27, 28, 31-34, and 36-54 under 35 U.S.C. §112, first paragraph (enablement), is obviated by the present amendment.

This ground of rejection is based on the Examiner's opinion that the specification does not provide a sufficient disclosure of the "starting materials that would place such a diverse genus of compounds containing both heterocyclic and non-heterocyclic moieties in possession of the public... [and that the] genus of compounds would possess all the alleged properties." Applicants make no statement in regard to the propriety of this ground of rejection and in no way acquiesce to the same.

In order to expedite examination, Applicants have limited the claimed invention to a method for expressing long-term potentiation of synaptic transmission (Claim 8), a method for screening an agent for expression of long-term potentiation of synaptic transmission (Claim 31), and a pharmaceutical composition for expression of long-term potentiation of synaptic transmission comprising a compound obtained by said screening method (Claim 36). For each of the foregoing, the scope of the compounds has been limited to the class of compounds defined in previously pending Claim 55, which the Examiner has acknowledged as being enabled by virtue of this claim not being rejected under this heading. Further evidence of the enablement of the currently amended claims is provided by Reference Example 6 in which the production of N-(1-acetylpiperidin-4-yl)-4-fluorobenzamide, a representative compound of the claimed class, is disclosed.

In view of the foregoing, Applicants submit that Claims 8, 13, 14, 31, 32, 34, 36, 38, and 56 are fully described and enabled. Accordingly, Applicants request withdrawal of this ground of rejection.

The objection to Claims 4-7, 33, 39, 40, 49, and 53 is obviated by cancellation of these claims. Acknowledgment that this ground of objection has been withdrawn is requested.

Applicants submit that the present application is in condition for allowance. Early notification to this effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)